Supported in part by Department of National Defense Engagement Program, 
Government of Canada.
THURSDAY, OCTOBER 26

08:30-09:00  REGISTRATION AND BREAKFAST

09:00-09:10  WELCOMING REMARKS
Gordon HOULDEN, Shicun WU

09:10-09:30  OPENING KEYNOTE ADDRESS
INTRODUCTION OF AMBASSADOR LU SHAYE:
Roger EPP, Director, UAlberta North, University of Alberta

KEYNOTE REMARKS:
His Excellency Mr. LU Shaye, Ambassador Extraordinary and
Plenipotentiary of the P.R. China to Canada

09:30-11:00  PANEL I: GEOPOLITICAL SITUATION AND SECURITY CHALLENGES
CHAIR: Shicun WU
SPEAKERS: James BOUTILIER, Min Gyo KOO, Feng ZHU, Murray HIEBERT

11:00-11:15  HEALTH BREAK

11:15-12:45  PANEL II: SECURITY AND SAFETY CHALLENGES OF NAVIGATION
CHAIR: Gordon HOULDEN
SPEAKERS: Ted MCDORMAN, Hao Duy PHAN, Duo DING, Jiwei SONG

12:45-13:45  LUNCH
13:45-15:15  PANEL III: MARITIME ENVIRONMENT PROTECTION  
CHAIR: Ashley ESAREY  
SPEAKERS: Ja Ian CHONG, Kurkpatrick DORSEY, Tabitha MALLORY, Xiaoyi JIANG

15:15-15:30  HEALTH BREAK

15:30-17:00  PANEL IV: DISPUTE MANAGEMENT AND OCEAN GOVERNANCE  
CHAIR: Feng ZHU  
SPEAKERS: Wendell SANFORD, Rommel C. BANLAOI, Fu-Kuo LIU, Nong HONG

FRIDAY, OCTOBER 27

09:30-11:00  PANEL V: MARITIME COOPERATION  
CHAIR: Anita DEY NUTTALL  
SPEAKERS: Aldo CHIRCOP, Xinqing ZOU, Adele BUCKLEY, Whitney LACKENBAUER

11:00-11:15  WRAP-UP  
Feng ZHU, Gordon HOULDEN

11:15-12:00  LUNCH

* program subject to change
Welcoming remarks from the organizers

GORDON HOULDEN
DIRECTOR, CHINA INSTITUTE, UNIVERSITY OF ALBERTA

Gordon Houlden is the Director of the China Institute, Professor of Political Science and Adjunct Professor of the Alberta School of Business at the University of Alberta.

SHICUN WU
PRESIDENT, NATIONAL INSTITUTE FOR SOUTH CHINA SEA STUDIES, CHINA

WU Shicun has a PhD in history and is president of China’s National Institute for South China Sea Studies, Deputy Director of the Collaborative Innovation Center of South China Sea Studies, Nanjing University, member of Foreign Policy Advisory Group of the Chinese Foreign Ministry, and Vice President of Boao Forum for Asia Research and Training Institute.
Introduction of Ambassador LU Shaye:

ROGER EPP

DIRECTOR, UALBERTA NORTH, UNIVERSITY OF ALBERTA

Roger Epp is Professor of Political Science and Director of UA North, which supports, coordinates, and represents the University’s diverse work across northern Canada and the circumpolar region. He has also served the University in senior leadership positions, among them, as Founding Dean of the Augustana Campus and, more recently, as Deputy Provost. As a scholar, his teaching and published work has engaged subjects in international politics, settler-Indigenous relations, and the politics of the rural West. He has been visiting professor at universities in the UK, US, Brazil, and China (at Peking University’s School of International Studies, in 2012).

Keynote speech: Jointly building a sea of peace and cooperation under guidance of concept of community of shared future for mankind

LU SHAYE

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE P.R. CHINA TO CANADA, EMBASSY OF THE PEOPLE’S REPUBLIC OF CHINA IN CANADA

2017- Ambassador Extraordinary and Plenipotentiary of the People’s Republic of China to Canada
2015-2017 Director-General, Bureau of Policy Research, Office of Foreign Affairs of the Communist Party of China (CPC) Central Committee
2014-2015 Vice Mayor of Wuhan, Hubei Province, People’s Republic of China
2009-2014 Director-General, the Department of African Affairs, Ministry of Foreign Affairs
2005-2009 Ambassador Extraordinary and Plenipotentiary of the People’s Republic of China to the Republic of Senegal
2003-2005 Deputy Director-General, the Department of African Affairs, Ministry of Foreign Affairs
2001-2003 Counselor, Embassy of the People’s Republic of China in the French Republic
1999-2001 Counselor, the Department of African Affairs, Ministry of Foreign Affairs
1991-1999 Attaché, then Third Secretary, Deputy Division Director, First Secretary and Division Director, the Department of African Affairs, Ministry of Foreign Affairs
1988-1991 Staff member, then Attaché, Embassy of the People’s Republic of China in the Republic of Guinea
1987-1988 Staff member, Ministry of Foreign Affairs
PANEL I

Geopolitical Situation & Security Challenges

Chair

SHICUN WU

PRESIDENT, NATIONAL INSTITUTE FOR SOUTH CHINA SEA STUDIES, CHINA

WU Shicun has a PhD in history and is president of China’s National Institute for South China Sea Studies, Deputy Director of the Collaborative Innovation Center of South China Sea Studies, Nanjing University, member of Foreign Policy Advisory Group of the Chinese Foreign Ministry, and Vice President of Boao Forum for Asia Research and Training Institute.

Dr. Wu’s research interests cover the history and geography of the South China Sea, maritime delimitation, maritime economy, international relations and regional security strategy. His main single-authored books include What One Needs to Know about the Disputes between China and the Philippines, What One Needs to Know about the South China Sea, Solving Disputes for Regional Cooperation and Development in the South China Sea: A Chinese Perspective, A Study on the South China Sea Disputes and The Origin and Development of the Nansha Disputes. His main edited books include Non-Traditional Security Issues and the South China Sea-Shaping a New Framework for Cooperation, Recent Developments in the South China Sea Dispute: the Prospect of a joint Development Regime, Securing the Safety of Navigation in East Asia: Legal and Political Dimensions, Maritime Security in the South China Sea, Selective Studies on World Famous Island Economic Bodies and Collection of Documents Relating to South China Sea Issues.
Abstract

THE CANADIAN ARCTIC:
POLAR PROMISE AND STARK REALITIES

Canada is in the process of acquiring a third ocean, the Arctic. It was always there; mysterious and beckoning, but wildly impractical in any commercial sense. Locked in ice for most of the year, it was simply not viable for shipping. Instead, it captured the imagination – austere, beautiful, dangerous, and forbidding. A few tiny settlements, like martian colonies, lay scattered across the enormity of the High North, but, otherwise, there was precious little to attract concerted attention from the metropolitan world far to the south. Geologists did talk about the enormous potential of the Arctic in terms of oil and gas, intrepid diamond miners plied their trade, and frontier airways struggled to supply remote outposts. Then came climate change or, more precisely, an increasingly detailed appreciation of the colossal scope of this global phenomenon.
MIN GYO KOO

ASSOCIATE DEAN, OFFICE OF INTERNATIONAL AFFAIRS; PROFESSOR, GRADUATE SCHOOL OF PUBLIC ADMINISTRATION, SEOUL NATIONAL UNIVERSITY, SOUTH KOREA

Min Gyo Koo is Professor in the Graduate School of Public Administration and Associate Dean of International Affairs at Seoul National University (SNU). His research interests include East Asian political economy and maritime affairs. He is the author of Island Disputes and Maritime Regime Building in East Asia: Between a Rock and a Hard Place (2010, Springer). He has also co-edited (with Vinod K. Aggarwal) Asia’s New Institutional Architecture: Evolving Structures for Managing Trade, Financial, and Security Relations (2008, Springer). From fall 2005 to spring 2007, he served as a postdoctoral fellow at the Center for International Studies and as a full time lecturer in the School of International Relations at the University of Southern California. Prior to his move to SNU, Dr. Koo taught at Yonsei University in South Korea from fall 2007 to spring 2010. He also served as a 2015-2016 Visiting Scholar at the Harvard-Yenching Institute. He holds a BA in Political Science and an MA in Public Policy from SNU and an MA in International Relations from Johns Hopkins University’s School of Advanced International Studies. Dr. Koo received his Ph.D. in Political Science from the University of California at Berkeley in 2005.

Abstract

THE CHINA SEAS DISPUTES AND THEIR IMPlications FOR JAPAN

Before the Tribunal’s decision, a purely ‘realist’ perspective was dominant vis-à-vis the interpretation of the rise of China and its consequences on its neighbors. And before China’s construction drive drew global attention within security circles, the South China Sea disputes had mainly been about marine resources. Even greater uncertainties loom with developments outside the South China Sea. These new developments could spark a furious reaction from China and throw the entire region into turmoil. Against this background, this study examines the new Sino-Japanese rivalry that revolves around their conflictual identity as regional sea powers. It argues that Obama’s ‘Pivot to (maritime) Asia’ policy (and Trump’s yet-to-be-named harder line policy) have rejuvenated Japanese traditional identity as a sea power. It has also created the backdrop against which China has been shifting its attention to the South and East China Seas and the Indo-Pacific Ocean, departing from its traditional identity as a land power. Such an action-reaction cycle is likely to create additional pressure within the regional seas which have already been heating up both geopolitically and geoeconomically. The growing rivalry over the seas will redefine the balance of power and interest in the region. In this regard, Japan’s role will be critical.
Abstract

TRUMP ADMINISTRATION’S SECURITY STRATEGY OF THE ASIA-PACIFIC: WHAT IT LOOKS LIKE

President Trump once fired at the Obama Administration for the “Rebalancing Strategy” in the Asia-Pacific during the election campaign in 2016. Accordingly, the concept of “rebalancing strategy” seems dead as no senior officials of the Trump Administration mentioned any single word like it. But what are drastic components of President Trump’s Asia-Pacific security strategy, how will it be re-labeled, and more importantly, in what way the Trump’s strategy will be distinctively different from his predecessor? All such questions remain unanswered.

Yet it will be continuously hard to grab a clear contour of the Trump Administration’s set of Asia-Pacific gambit as long as there is no clarity of what’s his new preference to American presence and commitment to the Asia-Pacific. Furthermore, we will also get puzzled with President Trump’s plan to elaborate on American interests and preferred policy means in tackling maritime disputes and tensions in the West Pacific. Regardless to say, it will also become hard for us to pundit the change and continuity of U.S. new administration’s strategic and diplomatic calculus.

Of course there are some clues we can figure out to envisage what will be going on with President Trump’s trek of American involvement in the Asia-Pacific. For example, US will never waver on its predominance in the region, continuously chant on rule-based order and expand its presence and influence by repeating saga of “peace through strength”. But it remains unclear in what way Trump’s version of the Asia-Pacific strategy will distract from President Obama, and on what base it could be adequately examined in the terms of its priority and leverages.

President Trump will be quickly on his virtue tour to East Asia on November 5-13 of 2017. His first Asian show might help unveiling Trump’s Asia-Pacific strategy, and he would use his podiums in Asia to bump up his Asian thoughts. But who knows? Other likelihood is that Trump will continue to leave his strategic preference in the region in the dark. Actually either of these likeliness will barely stir a big surprise.
MURRAY HIEBERT

SENIOR ADVISOR AND DEPUTY DIRECTOR, SOUTHEAST ASIA PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Murray Hiebert serves as senior adviser and deputy director of the Southeast Asia Program at the Center for Strategic and International Studies (CSIS) in Washington, D.C. Prior to joining CSIS, he was senior director for Southeast Asia at the U.S. Chamber of Commerce, where he worked to promote trade and investment opportunities between the United States and Asia. Earlier Mr. Hiebert was a journalist in the Wall Street Journal’s China bureau, where he covered trade issues. Prior to his posting to Beijing, he worked for the Wall Street Journal Asia and the Far Eastern Economic Review in Washington, reporting on U.S.-Asia relations. From 1995 to 1999, he was based in Kuala Lumpur for the Far Eastern Economic Review. In the early 1990s, he was based in Hanoi for the Review, reporting on Vietnam’s economic reforms. He joined the Review’s Bangkok bureau in 1986, covering political and economic developments in Vietnam, Cambodia, and Laos. Mr. Hiebert is the author of two books on Vietnam, *Chasing the Tigers* (Kodansha, 1996) and *Vietnam Notebook* (Review Publishing, 1993).

Abstract

**U.S. AND SOUTHEAST ASIA VIEWS/POLICIES TOWARD MARITIME SECURITY UNDER TRUMP AND DUTERTE**

The Trump administration by the end of September had not spelled out its strategy toward the South China Sea or toward Southeast Asia. The administration has conducted three freedom of navigation operations (Mischief Reef in May, Triton Island in July, Mischief Reef in August) since it took office. U.S. officials say they have developed a schedule for more regular patrols in the South China Sea to create a more consistent policy to challenge China’s maritime claims. American officials at the ASEAN Regional Forum in August focused more on North Korea’s nuclear and missile threat than on maritime security and the South China Sea.

In late July, Vietnam, under apparent pressure from China, asked Spanish oil company Repsol to end its exploration activities in block 136-03 at the southern edge of Vietnam’s exclusive economic zone, in at least a short term tactical retreat by Hanoi. In August, shortly after the ASEAN Regional Forum in Manila, Philippine officials complained that a fleet of China vessels, both military and civilian, appeared a few nautical miles off Philippine-occupied Triton Island. Officials in Manila say Chinese vessels have regularly sailed near the Philippine-claimed Second Thomas Shoal.

Since the election of Rodrigo Duterte as Philippines president, Vietnam is the remaining country left in ASEAN pushing to include language in the group’s statements about island building and militarization in the South China Sea. At the recent ASEAN Regional Forum (ARF), the grouping could not agree on pressing for a legally binding code of conduct, although this idea was pushed by Vietnam with quiet behind the scenes support from Indonesia, Malaysia, and Singapore.
GORDON HOULDEN
DIRECTOR, CHINA INSTITUTE, UNIVERSITY OF ALBERTA

Gordon Houlden is the Director of the China Institute, Professor of Political Science and Adjunct Professor of the Alberta School of Business at the University of Alberta.

Professor Houlden joined the Canadian Foreign Service in 1976, serving in Ottawa and abroad. Twenty-two of his years in the Canadian Foreign Service were spent working on Chinese economic, trade and political affairs for the Government of Canada including five postings in China. He also served at Canadian Embassy in Havana and Warsaw, and at Canada National Defence College. His last assignment before joining UAlberta in 2008 was as Director General of the East Asian Bureau of the Department of Foreign Affairs and International Trade, responsible for Greater China, Japan, the Koreas and Mongolia.

Under Professor Houlden’s leadership, the China Institute has focused on contemporary China studies, with an emphasis on Canada’s trade, investment and energy linkages with the PRC, and Asian security issues.
Ted L. McDorman is a Professor at the Faculty of Law, University of Victoria, Victoria, British Columbia, Canada. He has written widely on ocean law and policy issues having published over 120 articles, chapters in books, etc. Since 2000, he has been editor-in-chief of Ocean Development and International Law. From 2002-2004 and again from 2011 to 2013, Professor McDorman was “academic-in-residence” in the Legal Affairs Branch of the Canadian Department of Foreign Affairs and International Trade (now Global Affairs Canada) where he was involved in a number of Arctic law of the sea and environmental matters, worked on Canada’s submission to the CLCS and represented Canada at several international forums. From January-May 2007, he was the Fulbright Visiting Chair in Canada-U.S. Relations at the Woodrow Wilson International Center for Scholars in Washington D.C.

Professor McDorman has been a long-time observer of events in the South China Sea. From 1984 to 2002, he was part of the CIDA/IDRC funded Southeast Project on Ocean Law, Policy and Management (SEAPOL) centered in Bangkok, Thailand. Through this project, Professor McDorman was involved in the early years of the track-two South China Sea Workshop Process led by Indonesian Ambassador Hasjim Djalal.

A bedrock principle on the 1982 Law of the Sea Convention and international ocean law is “freedom of navigation.” No one disputes the primacy of the principle and its general application since freedom of navigation is important commercially and strategically. Few legal principles are absolute, however, and freedom of navigation is no exception. The desire by States for security both from potentially unsafe vessels and military interference (real or imagined) has led to qualifications on freedom of navigation.

The LOS Convention legal regime understood broadly provides for strict controls by adjacent States on freedom of navigation both as regards access and operations in waters near shore with the adjacent State control of foreign vessel navigation weakening the further from shore one goes (internal waters, territorial sea, 200 nm exclusive economic zone). One wrinkle in this basic architecture concerns “straits used for international navigation” where the waters in question can be very near shore but the legal regime directs largely-unhindered freedom of navigation for both commercial and non-commercial vessels.

Subject to several exceptions, the freedom of navigation principle applies to both commercial vessels and military vessels even though the legitimate concerns of adjacent States respecting these types of vessels are clearly different. One major exception in law is that a military vessel is subject to sovereign immunity and, therefore, is not subject to boarding, arrest or interference by another State.
Due to the high volume of goods and oil transported through its waters, the South China Sea has become critical to global maritime trade. The importance of sea-lanes in the South China Sea, however, has grown in tandem with concerns over threats to maritime security. As an important regional organization that includes several states adjacent to these sea lanes, the Association of Southeast Asian Nations (ASEAN) could play a central role in working with its dialogue partners to promote maritime security in the South China Sea. This presentation focuses on the role of ASEAN in addressing maritime security challenges in the South China Sea. It is divided into three main sections. The first section examines major maritime security threats facing the region. The second section reviews the instruments and initiatives that have been undertaken under the ASEAN and ASEAN-Plus frameworks to address these maritime security challenges. In the concluding section, the presentation discusses the remaining problems and new opportunities to further regional cooperation for strengthening maritime security in the South China Sea.
DUO DING

ASSISTANT RESEARCH FELLOW, NATIONAL INSTITUTE FOR SOUTH CHINA SEA STUDIES

Ding Duo is an Assistant Research Fellow of National Institute for South China Sea Studies. His research interests include general theory of public international law, international law of the sea, and dispute settlement mechanism. Ding obtained his Master and PhD in Law both in Yonsei University in 2012 and 2016 respectively. He graduated from China University of Political Science and Law in 2008 with Bachelor of Management and Bachelor of Law.

Abstract

THE CURRENT SITUATION OF NAVIGATION SECURITY IN THE SOUTH CHINA SEA: A CHINESE PERSPECTIVE

Navigation security in the South China Sea has drawn an extensive international concern in recent years. It is particularly important to talk about the navigation regime in the South China Sea, not only from a legal point of view, but also in terms of political and security issues. The main reasons for the international concerns include the disputes in the South China Sea over islands sovereignty, maritime delimitation, extra-regional state’s intervention, and some ASEAN member states’ wish to countervail China with the help of extraregional states. From the political sense, given the commonly perceived China-US competition in the Asia-Pacific, the US involvement in the South China Sea issues, no matter what US rhetoric is, has been profound security concern for China.

The Chinese government has made a positive contribution to safeguard the navigation security in the South China Sea, which has never been undermined by severe problems. On one hand, there are legal regimes to ensure all states’ freedom of navigation in different seas according to the UNCLOS. On the other hand, no state impedes or disturbs the normal navigation order in the South China Sea. However, there still are challenges, including piracy, maritime terrorism, etc. The coastal states of South China Sea should take confidence-building measures as well as conduct regional and bilateral cooperations so as to maintain the navigation security in the region.
JIWEI SONG

RESEARCH ASSOCIATE, CHINA CENTRE FOR COLLABORATIVE STUDIES ON THE SOUTH CHINA SEA, NANJING UNIVERSITY

Song Jiwei is a Research Associate at China Center for Collaborative Studies on the South China Sea, Nanjing University. He received his Ph.D. in Information Science from Nanjing University in 2013. He has headed a National Social Science Foundation Project and assisted in various projects. He has contributed several articles in local journals. His research interests concern Information Management and Competitive Information System, Cross-strait Relations and the South China Sea Issues.

Abstract

THE IMPACT OF TSAI ING-WEN AUTHORITIES ON REGIONAL SECURITY AND NAVIGATIONAL SAFETY IN THE SOUTH CHINA SEA

Issues in the South China Sea are highly complicated, given the overlapping claims, number of States involved, regional security and diplomatic issues, as well as the political and economic interests of the States concerned. Taiwan, as one party to the dispute, for many years has the same stance as the Chinese mainland on the South China Sea issue, especially during the past 8 years under the Ma Ying-jeou government. Since Tsai Ing-wen took office in May 2016, Taiwan’s South China Sea policy changed slightly, which influenced regional security and navigational safety. Since the geopolitical factors would play a dominant role, Tsai authorities cannot avoid South China Sea issues in the process of seeking Taiwan’s independence, which will continue to be the guiding principle for the policies of Tsai Ing-wen authorities, enhancing the instability of the Cross-Strait relations and the regional situation.
ASSISTANT VISITING PROFESSOR, POLITICAL SCIENCE; ACADEMIC ADVISOR, CHINA INSTITUTE, UNIVERSITY OF ALBERTA

Dr. Ashley Esarey received his BA in Diplomacy and World Affairs from Occidental College in Los Angeles and his PhD in Political Science from Columbia University in New York; he has held the An Wang Postdoctoral Fellowship at Harvard’s Fairbank Center for Chinese Studies. At the University of Alberta he teaches courses on Chinese politics, global security, and international relations in the Department of Political Science. Professor Esarey has published in such journals as Asian Perspective, Asian Survey, Journal of Contemporary China, the Journal of Current Chinese Affairs, and Political Psychology (forthcoming). Recent books include My Fight for a New Taiwan: One Woman’s Journey from Prison to Power (with Lu Hsiu-lien) and The Internet in China: Cultural, Political, and Social Dimensions. His current research interests include political communication in People’s Republic of China, environmentalism in East Asia, and contemporary Taiwan politics.
Protecting the maritime environment is a public good. All littoral states and users benefit from healthier marine life, less marine trash, cleaner waters, and, where appropriate, more sustainable fish stocks. Like other issues relating to the global commons, the absence of a higher authority means that all actors have an incentive to cheat on maritime environmental protection efforts. Establishing independent and transparent mechanisms to monitor behavior and coordinate even-handed enforcement should, in principle, provide the basis for responses to such collective action problems. Sadly, such principles are especially difficult to put into practice when it come to the maritime domain.

Maritime environment protection is especially complicated as it implicates issues of sovereignty and jurisdiction, especially when waters under dispute. Enforcement implies jurisdiction, and no disputant is ready to accept such activity by rivals in waters that it claims. Even monitoring may prove sensitive. There may be efforts to limit the regulation of maritime activity by rivals. Jurisdictions under which vessels are flagged may be unwilling or unable to enforce regulations even if they receive actionable information from effective monitoring efforts. Such challenges come on top of the general unwillingness of states to subject their actions and those of their vessels to restrictions by other parties. The inability to deal with these issues mean that maritime environment protection may well prove intractable.
KURK DORSEY

PROFESSOR OF HISTORY, UNIVERSITY OF NEW HAMPSHIRE

Kurk Dorsey received his PhD in History from Yale University in 1994. He has taught US environmental and diplomatic history since then at the University of New Hampshire, where he is currently the Class of 1938 Professor. He has published *The Dawn of Conservation Diplomacy: U.S.-Canadian Wildlife Protection Treaties in the Progressive Era* (1998) and *Whales and Nations: Environmental Diplomacy on the High Seas* (2013), both in the Weyerhaeuser Environmental Series from the University of Washington Press.

**Abstract**

CHEATERS SOMETIMES PROSPER:
THE INTERNATIONAL WHALING COMMISSION AND THE PROBLEMS OF NON-COMPLIANCE AND UNCERTAIN DATA

Nations from around the world created the International Whaling Commission in 1946 to regulate whaling on the high seas. Within just a few years, it was apparent that at least some whalers were evading the rules on a regular basis. The IWC struggled to balance the need for strict rules to protect the whales with weaker rules that would entice member states to stay in the commission. With challenges from Aristotle Onassis and Soviet whalers, as well as the perception that Japanese whalers were chronically out of compliance, the IWC was unable to tighten its rules as much as conservationist members desired. Ironically, the lack of trust in the IWC’s rules affected not just the hunting around Antarctica but also that in the Arctic off the coast of the US and Canada.
Abstract

SUSTAINABLE SOUTH CHINA SEA FISHERIES: COOPERATIVE LESSONS FROM OTHER REGIONAL MANAGEMENT MECHANISMS

While the marine environment in the South China Sea has gotten more of the attention it deserves in recent years, there is no easy way forward for managing fisheries resources. The region’s sovereignty disputes have thus far preempted any genuine progress on sustainable fisheries management. Moreover, the securitization of the issue at the state level has added a layer of sensitivity that may exclude important stakeholders. While the South China Sea possesses its own unique conditions, it is not the first region in the world to face such transnational challenges. This presentation will consider what lessons in cooperation we may draw from regional management mechanisms in other parts of the world.
XIAOYI JIANG

ASSOCIATE PROFESSOR, CHINA INSTITUTE OF BOUNDARY AND OCEAN STUDIES, WUHAN UNIVERSITY

Dr. Xiaoyi Jiang is currently an Associate Professor of Environmental Law at Wuhan University. She holds a PhD degree in Environmental Law from the University of Western Sydney, Australia and a LLM in Environmental Law from Wuhan University, P.R.China. Xiaoyi commenced her PhD studies at Macquarie University in 2007 on the topic of legal issues for implementing the Clean Development Mechanism in China under the supervision of Professor Michael Jeffery (QC) and Professor Donna Craig and subsequently, followed her supervisors to join the University of Western Sydney. After a doctoral degree was awarded in September 2010, she returned to China to take up the position of lecturer at the Wuhan University China Institute of Boundary and Ocean Studies (CIBOS). In addition, she is a Research Fellow at the Research Institute of Environmental Law, Wuhan University and an affiliated Research Fellow at Social and Environmental Responsibility Research Group, the University of Western Sydney.

Abstract

PROPOSALS FOR MARITIME ENVIRONMENT PROTECTION IN THE SOUTH CHINA SEA

The South China Sea, a “marine paradise”, has a unique ecological system, containing some of the most bio-diverse marine resources in the world and providing enormous economic resources for its ten surrounding countries. However, it is anticipated that the South China Sea would experience significant climate and ecological change. On the other hand, human activities, such as island-building and construction, and IUU fishing activities affect the marine environment in the South China Sea. The UNCLOS provides general and special obligations to protection marine environment. Other treaties, such as the CBD, Ramsar Convention World, Heritage Convention and CITES also provide the relevant obligations. Nevertheless, the existing legal framework has limits in terms of due diligence, EIA, and obligation to cooperate. Accordingly, maritime protection in the South China Sea may face the challenges of global warming, protracted territorial and maritime boundary disputes, and the foregoing legal limits.

The proposals that have been put forward to protect marine environment in the South China Sea are critically examined. These proposals include turning part of the South China Sea into a marine peace park, building a regional network and management regime of Marine Protected Areas, taking the climate change agreement pattern, taking the Convention For the Protection of the Marine Environment of the North-east Atlantic pattern, taking the Antarctic Treaty pattern. It then comes to a conclusion that there are many inevitable challenges in the aforementioned proposals. As a responsible State, China is willing to and has the ability to protection marine environment in the South China Sea.
FENG ZHU

EXECUTIVE DIRECTOR, CHINA CENTRE FOR COLLABORATIVE STUDIES ON THE SOUTH CHINA SEA, NANJING UNIVERSITY

WENDELL SANFORD

RESEARCH ASSOCIATE, MARITIME AND ENVIRONMENTAL INSTITUTE, DALHOUSIE LAW SCHOOL; DIRECTOR OF OUTREACH, OTTAWA BRANCH, THE NAVAL ASSOCIATION OF CANADA UNIVERSITY

Throughout his 35 year diplomatic career Mr. Sanford has had extensive involvement with the Arctic and South China Sea. As Director International Oceans and Environmental Law (2004 -08) he dealt with the Hans Island issue in 2005 and led efforts to extend the jurisdiction of the Arctic Waters Pollution Prevention Act to 200 nautical miles and to make reporting to the NORDREG ship management system compulsory. With respect to the South China Sea Mr Sanford was posted in Bangkok (1980-83) during the “Boat People” refugee crisis and participated in the formation of the South East Asia Program for Ocean Law and Management (SEAPOL). While on exchange assignment with the New Zealand Ministry of Foreign Affairs (1996-98) he led a team which began the negotiations to create the Western and Central Pacific Fisheries Convention and returned to the WCPFC to Chair the Technical and Compliance Committee while it drafted its regulatory framework (2006 -10). Mr. Sanford was Canadian High Commissioner in Brunei (2008 - 11) during the period when a critical bilateral maritime boundary agreement was entered into with Malaysia.

At Foreign Affairs Headquarters in Ottawa Mr Sanford was legal officer on Canada’s UNCLOS Prepcom delegation (1985-86) negotiating deep seabed mining issues. He was also Deputy in the Office of the Ambassador for Fisheries Conservation during the High Seas Fisheries Treaty negotiations (1992-94). In addition Mr. Sanford had an overlapping 21 year career as an officer in the Royal Canadian Naval Reserve including serving as Staff Officer Naval Control of Shipping and Fishing Vessels (1975-77). Mr. Sanford is a Research Associate at the Marine and Environmental Law Centre at Dalhousie Law School.

Abstract

DISPUTE MANAGEMENT AND GOVERNANCE IN THE CANADIAN ARCTIC – MYTHS DISPELLED

The Government of Canada uses the functional approach to deal with dispute management of maritime matters. What this means is that problems are directly addressed when there is a crisis which must be resolved (e.g. the Canada – US boundary dispute respecting Georges Bank); issues where positions are well known and not in crisis are handled by routine diplomatic activity (e.g. Yukon – Alaska boundary); and effort is made to develop proactive actions only when it is opportune for both parties to do so or there are strong technical reasons for action (e.g. extending the Arctic Waters Pollution Prevention Act to 200 nautical miles).
Countries in East Asia have long haunted by unsolvable maritime territorial disputes. The new regional order after the World War II has yet to be fairly recognized and confirmed by all. As such, much of maritime territorial dispute today does not have clear answers from international laws, i.e. UNCLOS, and individual domestic laws. Rather, neither UNCLOS nor domestic laws would alone help contribute to peaceful settlement. So far, there is only unilateral compliance of regional countries with UNCLOS, but the region as a whole remains lacking common understanding of regional maritime governance, especially in the cases of territorial disputes in the East China Sea and South China Sea.

As regional countries rely more on resources, transportation routes and convenience of the ocean, certain maritime governance is increasingly desirable. While fishing and energy exploration in the ocean become the key issues of disputes, parties concerned in maritime territorial disputes would have to develop common norms to start with the process of establishing governance. Claimants in the East China Sea and in the South China Sea need to build trust before proceeding to establish regional governance.
NONG HONG

EXECUTIVE DIRECTOR, INSTITUTE FOR CHINA-AMERICA STUDIES; SENIOR FELLOW, CHINA INSTITUTE, UNIVERSITY OF ALBERTA

Dr. HONG Nong is Executive Director & Senior Fellow of Institute for China–America Studies, and Senior Fellow with China Institute, University of Alberta. She holds a PhD of interdisciplinary study of international law and international relations from the University of Alberta, Canada and held a Postdoctoral Fellowship in the University’s China Institute. She was ITLOS-Nippon Fellow for International Dispute Settlement (2008-2009), and Visiting Fellow at the Center of Oceans Law and Policy, University of Virginia (2009) and at the Max Planck Institute for Comparative Public Law and International Law (2007). Her research takes an interdisciplinary approach to examining international relations and international law, with focus on International Relations and Comparative Politics in general; ocean governance in East Asia; law of the sea; international security, particularly non-traditional security; and international dispute settlement and conflict resolution.

Abstract

APPROACHES TO ADDRESSING MARITIME DISPUTES IN EAST ASIA: SETTLEMENT, NON-SETTLEMENT, AND MANAGEMENT

The three-year long course of the legal proceeding of the South China Sea Arbitration and the post-arbitration development in the region indicates a fact that the compulsory dispute settlement mechanism may not be the only or the best option for addressing the disputes in the South China Sea. In order to achieve the goals that were set forth in the Charter of the United Nations such as international peace and prosperity, certain legal disputes are best left unsettled, at least for a certain period of time. It is the hope that the international community will eventually recognize the importance of the peaceful non-settlement of disputes as much as it recognizes the value of third-party compulsory settlement mechanism. A model of maritime dispute management is then proposed with the goal of achieving peace and stability in the region of the South China Sea.
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Abstract

COOPERATION ON NAVIGATION AND SHIPPING MATTERS IN THE ARCTIC

Regional cooperation on maritime matters (i.e., concerning navigation and shipping) in the Arctic occurs at bilateral, multilateral regional and global levels. Bilateral cooperation is perhaps the oldest exemplar of regional cooperation, and historically has consisted of issue-specific actions, at times treaty-based and mostly between selected States (e.g., Canada-US on icebreakers; Canada-US and Canada-Denmark on pollution response). This cooperation has occurred not only between Arctic States and on the basis of treaties, but also between Arctic and non-Arctic States as commercial agreements (Russian Federation-China).
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Dr Xinqing ZOU is currently a Professor of the School of Geographic and Oceanographic sciences, Nanjing University. He earned his bachelor degree in the University of Nanjing and graduate degrees in China University of Geosciences. With 10 years’ study in earth science and over 20 years’ working experience in the field of ocean science, his research interests include: marine ecosystem studies, coastal wetland ecosystem process, marine environment and resource management etc. Up to now, he has published over 150 peer-reviewed articles, with over 1000 citations in marine science.

Abstract

MARITIME COOPERATION IN CHINA MARGINAL SEAS IN COPING WITH THE CHALLENGES FROM THE THREATS OF MARINE ENVIRONMENT AND FISHERY RESOURCES

China marginal seas include Bohai Sea, Yellow Sea, East China Sea and South China Sea, with the character of being surrounded by multi-nations. Most of the neighboring countries are developing countries. With the rapid economic development, marine resources have been heavily exploited in the region. At the same time, lots of environmental pressures occurred in China marginal seas. Except for the traditional environmental problems, new types of environmental issues are becoming more and more obvious and serious, such as microplastics, POPs etc. All of these issues will negatively feed back to the marine living resources. To deal with these issues in China marginal seas, regional cooperation is essential. The fundamental task is to build a regional monitoring information network. Upon this, an evaluation and pre-alarming system is needed. Currently, some individual countries are putting quite amount of funding in building their own monitoring system. It’s valuated as a good step forward. But cooperation can greatly enlarge the positive function of the system to better manage the threats from the regional marine environmental pressures and the degradation of marine living resource system.
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Abstract

CHINA, NUCLEAR WEAPONS, AND MARITIME SECURITY IN THE ARCTIC

Maintenance of maritime security in the Arctic and the Asia Pacific is made urgent, and more complex, by ongoing rapid climate changes. Melting ice and a warmer ocean raise the sea level. The resulting effect is coastline loss in the Arctic, the South China Sea and worldwide. China, noting the economic opportunity offered by a future ice-free summer Arctic Ocean, intends to establish a major presence in the Arctic. In the ‘new’ Arctic, indigenous peoples deserve and want to participate, all circumpolar nations are increasing their military presence; and non-Arctic nations insist on a voice. Fortunately, there are multilateral agreements, e.g. the Search and Rescue Agreement of 2011, that recognize the necessity, in a very harsh environment, of cooperation for the common good. All are agreed UNCLOS is the means of defining the seabed and ocean boundaries and claims for Exclusive Economic Zones. Military presence also entails regulatory support, search and rescue, assistance with environmental emergencies. The Nuclear-Weapon-Free-Zone (NWFZ), a treaty with UN-defined characteristics, has been useful in calming areas south of the equator, but only one NWFZ is in the northern hemisphere. Formation of an Arctic NWFZ is a next move that would strengthen legitimacy of total nuclear disarmament, precisely because, if it eventually developed to include the two Nuclear Weapon States (NWS) - U.S. and Russia, that would be a regional nuclear weapons convention. Therein lies the opportunity, for example, to test credible means of verification, learn means and resources required for storing fissile materials, and evaluate strategies. A nuclear-weapon-free zone in Northeast Asia has been postulated and discussed at some length. It would involve the two Koreas, Japan, China, Russia and U.S.
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Whitney’s recent books include China’s Arctic Aspirations and What They Mean for Canada (co-authored, forthcoming 2017), Whole of Government through an Arctic Lens (co-edited, forthcoming 2017), Vigilans: The 1st Canadian Ranger Patrol Group (2015), Blockades or Breakthroughs? Aboriginal Peoples Confront the Canadian State (co-edited 2014), A Historical and Legal Study of Sovereignty in the Canadian North, 1870-1942 (edited 2014), The Canadian Rangers: A Living History, 1942-2012 (2013, shortlisted for the Dafoe prize), Canada and the Changing Arctic: Sovereignty, Security and Stewardship (co-authored 2011, French translation 2015), A Commemorative History of Aboriginal People in the Canadian Military (co-authored 2010), and Arctic Front: Defending Canada in the Far North (co-authored 2008, winner of the 2009 Donner Prize). He is also co-editor of the Documents on Canadian Arctic Sovereignty and Security (DCASS) series and has contributed four volumes to it.

Abstract

CHINA’S ARCTIC AMBITIONS: HOW THEY RELATE TO CANADA’S ARCTIC INTERESTS AND TRUDEAU GOVERNMENT PRIORITIES

Based upon his forthcoming book China’s Arctic Ambitions and What They Mean for Canada (with Adam Lajeunesse, James Manicom, and Frederic Lasserre – University of Calgary Press, 2017), Dr. Lackenbauer will examine how China’s emerging Arctic interests align with Canada’s sovereignty, security, and maritime safety priorities in the region. Areas of interest include geopolitical considerations, scientific research, environmental security, resource development, shipping, and governance. Rather than anticipating conflict or competition between these two countries over polar interests, Lackenbauer will identify opportunities for collaboration and cooperation, particularly on Arctic maritime issues.
The China Institute at the University of Alberta (CIUA) was established in the fall of 2005 with an endowment fund of C$37 million from the Government of Alberta. The endowment matched the appraised value of The Mactaggart Art Collection, donated to the University of Alberta Museums by local philanthropists Sandy and Cécile Mactaggart, under an agreement by the University that the funds so obtained would be used to create the China Institute, dedicated to enhancing understanding between Canada and China.

CIUA’s mission is to promote scholarship at the University of Alberta, to enhance and support new research and teaching activities between Canada and China, and to promote cultural, scientific, and business exchanges.

CIUA’s vision is to become known in China and internationally as a unique Canadian enterprise that stimulates outstanding China-related teaching and research initiatives and interdisciplinary collaboration. Spanning a wide range of disciplines, the Institute encourages the participation of undergraduate and graduate students, post-doctoral fellows, staff, and faculty from the University of Alberta and Chinese institutions.

CIUA works with its campus partners to promote China-related activities at the University of Alberta. Current research focus of the China Institute is on the rapidly evolving role of China in trade, energy, investment and foreign affairs in Canada, China, and in third countries. Particular focus is placed on Canada-China relations.

The major areas of activities include: seminars and lecture series on a variety of topics related to modern China’s economics, diplomacy and history; scholarly exchange program; research on Chinese politics, economy, society and energy. Recent conferences organized by the China Institute include: the Public Policy Dimensions of Chinese Investment in Canada, Maritime Security Issues in the South China Sea and the Arctic and China and Canada in Africa.
Located at the Jiangdong New District of Haikou City, the National Institute for South China Sea Studies (NISCSS) specializes in research on issues of the South China Sea (SCS). The NISCSS has come a long way since its founding as the Hainan Research Institute of South China Sea (HRISCS) in 1996. In July 2004, the HRISCS was upgraded to the national level, changing its name to the National Institute for South China Sea Studies.

After nearly 20 years of exploration and development, the NISCSS has formed a systematic scope of research, including the strategy of the SCS; the geopolitics of the SCS; international law and the SCS disputes; peaceful settlement of the Spratly Islands dispute; resource development and environmental protection in the SCS; strategies, institutions and mechanisms for developing maritime economy; and the building of the maritime silk road in the 21st century.

The NISCSS is composed of six sectors: Research Centre for Oceans Law and Policy; Research Centre for Maritime Economy; Research Centre for Marine Science; Research Centre for Maritime Silk Road; Division of International Exchanges (including the 2013 established Beijing Office); and Administrative Office, with over seventy staff members and fifteen part-time senior research fellows from around the world.

The NISCSS has made great strides in academic research establishing cooperation with nearly one hundred think-tanks from over twenty countries and regions. Each year the research staff offers several hundred papers in Chinese or English and reports on policy recommendations. It has also established a series of famous academic projects, including Digital South China Sea, Professional Database on SCS Documents and Assessment Report on the Situation in the South China Sea. The NISCSS hosts a number of SCS-related academic conferences, including the Cross-Strait Forum on the South China Sea Issue and South China Sea-themed Sub-forum of Boao Forum for Asia. Today, the NISCSS has become an important base and think tank in South China Sea studies in China.
The Institute for China-America Studies (ICAS) is an independent, non-profit academic institution launched by the Hainan Nanhai Research Foundation. As a think tank based in Washington D.C., ICAS aims to facilitate better interaction and exchange between China and the United States by carrying out academic research projects and activities and strengthening dialogue with American universities, research institutions and the media as well as private and governmental organizations. ICAS seeks to act as a bridge between China and the U.S. to enhance mutual understanding and communication as the two countries advance their relationship, contribute to the well-being of people from both countries, and promote peace and stability in the Asia-Pacific.

The Collaborative Innovation Center of South China Sea Studies at Nanjing University was founded in July 2012. In May 2013, it was approved and became one of the first collaborative innovation centers being sponsored by the Ministries of Education and of Finance.

The Center was initiated by Nanjing University and has been greatly supported by the Chinese Ministry of Foreign Affairs, the People’s Government of Hainan Province, and the State Oceanic Administration. It works in close collaboration with other research institutes, including the National Institute of South China Sea Studies, the Naval Command Academy, Renmin University of China, Sichuan University, the Institute of Geographic Sciences and Natural Resources Research of the Chinese Academy of Sciences, and the Institute of Border Studies of the Chinese Academy of Social Sciences. Driven by the demands of major national policies and aimed at the defense of China’s maritime rights and security, the Center seeks to develop basic research as well as research on applicable countermeasures on South China Sea issues, offer services to the nation’s strategic decision-making on these issues, and provide intellectual support for the nation’s development of “maritime power,” mainly through collaborative innovation between disciplines and institutes—namely, between Arts and Sciences, military and civilian organizations, universities and institutes, and between universities—which is enabled by system and mechanism innovation.
UAlberta North’s mandate is based on the University’s Northern Strategy (2011). It includes responsibilities for the following:

- strengthening and enlarging the University’s community of northern/circumpolar researchers;
- strengthening relationships with northern partners, including governments, colleges, and indigenous communities, as well as national and international research/educational agencies;
- building a robust public and scholarly profile for our significant work across the circumpolar North;
- identifying opportunities and coordinating relevant activity, information, and aspirations across the University;
- facilitating innovative and reciprocal processes of knowledge exchange; and supporting and creating opportunities for students.

Wuhan University (WHU) is a comprehensive and key national university directly under the administration of the Ministry of Education. It is also one of the ‘211 Project’ and ‘985 Project’ universities with full support in the construction and development from the central and local government of China.

The history of Wuhan University can be traced back to Ziqiang Institute, which was founded in 1893 by Zhang Zhidong, the then governor of Hubei Province and Hunan Province in the late Qing Dynasty. In the process of development and evolution, the institute changed its name several times before it was finally named Wuhan National University in 1928. It is one of the earliest comprehensive national universities in modern China. By the end of 1946, the university had established 6 colleges, the colleges of liberal art, law, sciences, engineering, agriculture and medicine. In 2000, an amalgamation of the former Wuhan University, Wuhan University of Hydraulic and Electric Engineering, Wuhan Technical University of Surveying and Mapping, and Hubei Medical University was announced, which ushered in a new era in its 100-odd years of development.